

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**
Harrisburg Division

IN RE: LARRY D BOSSLER and VALERIE A BOSSLER	Case No. 1:20-bk-03381-HWV Chapter 13
PHH Mortgage Corporation, Movant	
vs.	
LARRY D BOSSLER and VALERIE A BOSSLER, Debtors,	

OBJECTION TO CONFIRMATION OF THE CHAPTER 13 PLAN

COMES NOW PHH Mortgage Corporation (hereinafter “Creditor”) a secured creditor in the above-captioned case, by and through counsel, Brock and Scott, PLLC, hereby objects to confirmation of the Chapter 13 Plan, and respectfully shows the Court:

1. On November 24, 2020 (hereinafter, the “Petition Date”), LARRY D BOSSLER and VALERIE A BOSSLER (herein, the “Debtor”) filed a petition with the Bankruptcy Court for the Middle District of Pennsylvania under Chapter 13 of Title 11 of the United States Code (herein, the “Code”).
2. As of the Petition Date, Creditor was holder of a secured claim based upon the following:
 - a. That certain Promissory Note (hereinafter “Note”), executed by Larry Bossler And Valerie Bossler in the original amount of \$81,468.00 and dated February 26, 2014 is secured by a Mortgage.
 - b. That certain Mortgage recorded in the Lebanon County Register of Deeds in Book 2196 at Page 4511 and recorded on March 4, 2014 (hereinafter “Mortgage”) by which all amounts owed under the Note are secured by that certain real property described therein and located at 757 Locust St, Lebanon, PA 17042. (herein, the “Real Property”).
3. On or about December 18, 2020 Creditor filed a Proof of Claim docketed as Court Claim No. 7 indicating a secured claim amount of \$77,621.33 as of the Petition Date (herein, the “Claim”) listing pre-petition arrears in the amount of \$7,225.75.
4. Upon information and belief, the Claim is secured only by a security interest in real property that is the principal residence of the Debtors.

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5. On or about November 24, 2020, the Chapter 13 Plan (Docket No. 9) (hereinafter, the "Proposed Plan") was filed.
6. The Proposed Plan lists pre-petition arrears for Creditor's claim in the amount of \$6,114.03.
7. The Proposed Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
8. The Proposed Plan currently fails to adequately provide for arrears to Creditor. Creditor therefore objects to the Proposed Plan as it is underfunded.

WHEREFORE, the Creditor prays the Court as follows:

1. Set this matter for hearing at a date and time later to be determined by the Court; or
2. Require the Proposed Plan be modified to provide for the treatment of Creditor's claim; and
3. For other such and further relief that the Court may deem necessary and proper.

This, the 7th day of January, 2021.

/s/ Mario Hanyon
Mario Hanyon (Bar No. 203993)
Attorney for Creditor
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Objection to Confirmation of the Chapter 13 Plan has been electronically served or mailed, postage prepaid on January 7, 2021 to the following:

LARRY D BOSSLER
VALERIE A BOSSLER
35 SAWMILL ROAD
HALIFAX, PA 17032

Stephen Wade Parker, Debtor's Attorney
230 York Street
Hanover, PA 17331

Charles J. DeHart, III, Bankruptcy Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

Asst. U.S. Trustee, US Trustee
228 Walnut Street, Suite 1190
Harrisburg, PA 17101

/s/ Mario Hanyon
Mario Hanyon (Bar No. 203993)
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